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6
7 UNITED STATES DISTRICT COURT

8 DISTRICT OF NEVADA

9 THE UNITED STATES OF AMERICA

Case No.: 2:12-cr-208-RFB-PAL

10 Plaintiff,

11 vs.

**STIPULATION AND ORDER TO
CONTINUE SENTENCING**

12 SHERILL BANKS,

13 Defendant.

14
15 The United States, by and through Daniel G. Bogden, United States Attorney, Christina Brown,
16 Assistant United States Attorney, and defendant Sherill Banks, by and through Kathleen Bliss,
17 Esq. and Jason Hicks, Esq. of the law firm of Lewis Brisbois Bisgaard & Smith, that the
18 sentencing hearing be continued for a date no sooner than 45 days from the date presently set,
19 June 25, 2015, based on the following:
20

- 21 1. The agent for the United States will be out of the country for at least 45 days, and his
22 presence is necessary to assist government counsel at sentencing. The Government
23 has requested an additional 45 days to permit the agent to participate in the
24 proceedings.

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2. The defendant is not in custody and does not object to a continuance.
3. Denial of this request could result in a miscarriage of justice.
4. The additional time requested by this stipulation is excludable pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), considering the factors under 18 U.S.C. § 3161(h)(8)(B)(i) and (iv).

Dated this 11th day of June, 2015.

DANIEL BOGDEN
UNITED STATES ATTORNEY

By: /s/ Christina Brown
CHRISTINA M. BROWN
Assistant United States Attorney

By: /s/ Kathleen Bliss
KATHLEEN BLISS
Attorney for Sherill Banks

FINDINGS OF FACT

1
2 1. The agent for the government will be out of the country for at least 45 days, and
3 his presence is necessary to assist government counsel at sentencing. The Government has
4 requested an additional 45 days allowing the agent to return to the country.

5 2. The defendant is not in custody and does not object to a continuance.

6 3. Denial of this request could result in a miscarriage of justice.

7 4. The additional time requested by this stipulation is excludable in computing the
8 time within which the trial herein must commence pursuant to the Speedy Trial Act, 18
9 U.S.C. § 3161(h)(7)(A), considering the factors under 18 U.S.C. § 3161(h)(8)(B)(i) and (iv).

10
11 **ORDER**

12 Based upon the pending Stipulation of counsel, and good cause appearing:

13 **IT IS HEREBY ORDERED** that the current sentencing date is VACATED and
14 reset for 8/11/2015, 2015, at 10:30 a.m. , in Courtroom 7C.

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16 DATED this 16th day of June, 2015.

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RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE